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Walter Joseph Mikulski
AMCONGEN/RIMC
PSC 115
PO AE 09213-0115 DE GERMANY

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In re Application of
Walter Joseph Mikulski
Application No.09/490,859
Filed: January 24, 2000
Attorney Docket No. 1.827.99

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OFFICE OF PETITIONS


LETTER

This is in reference to the decision of January 15, 2003, dismissing the petition under 37 CFR 1.137(a) filed September 9, 2002.

The decision of January 15, 2003, indicated incorrectly that \$640.00 was remitted for the issue fee and that said amounts would be refunded to petitioner because the Notice of Allowance and Issue Fee Due had not yet issued. In fact, the \$640.00 remitted was for the fee for a petition under 37 CFR 1.137(b). The petition filed on September 9, 2002 was, in fact, a petition under 37 CFR 1.137(a) the fee for which is \$55.00 (small entity), which petitioner remitted properly.

The amount of \$640.00 will be refunded to petitioner, but this amount is not for the premature payment of the issue fee, rather it is being refunded because a petition under 37 CFR 1.137(b) was not filed. The appropriate form for a petition under 37 CFR 1.137(b) was mailed to petitioner along with the decision of January 15, 2003. Petitioner may also retrieve the appropriate form, PTO/SB/64, from the Patent and Trademark Office website at www.uspto.gov.

Further correspondence with respect to this matter should be addressed as follows:

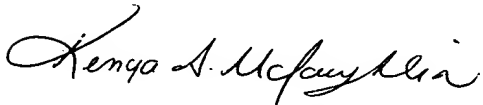
By mail: Assistant Commissioner for Patents
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In re Application of Walter Joseph Mikulski
09/490,859

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Further questions should be directed to the undersigned at (703) 305-0010.

A handwritten signature in cursive script, reading "Kenya A. McLaughlin".

Kenya A. McLaughlin
Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy